

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

TONYA MANGELS,

Plaintiff,

v.

AMERICAN MULTI-CINEMA, INC.,

Defendant.

Case No. 4:19-cv-00834-BP

**DEFENDANT’S UNOPPOSED MOTION FOR LEAVE
TO FILE DOCUMENTS UNDER SEAL**

Defendant American Multi-Cinema, Inc. respectfully moves the Court to file Defendant’s Statement of Uncontroverted Material Facts and corresponding exhibits (which will be included in Defendant’s dispositive motion filing) under seal, pursuant to Local Rule 56.1 (and pursuant to the instructions contained in the CM/ECF Civil and Criminal Administrative Procedures Manual and Users Guide, Western District of Missouri, page 8). In support of this request, Defendant states as follows:

1. Pursuant to the Court’s Second Amended Scheduling Order, Defendant will be filing its motion for summary judgment and suggestions in support of its motion today. (Doc. 41.)
2. Early in this case, the Court entered a Protective Order. (Doc. 21.) The Protective Order includes in the definition of “Confidential Information” the following categories of information/documents: compensation records, human resource files, and sensitive operational matters (excluding documents or information that is publicly available). (*Id.*, p. 1-2.)
3. Plaintiff’s claims and Defendant’s defenses to those claims require the discussion of compensation information related to the Plaintiff (and third parties), investigation files and corresponding information maintained by Defendant which reference Plaintiff and other third

parties, and a confidential expert report relating to Defendant's compensation practices. As such, the information contained in the Statement of Uncontroverted Material Facts (and accompanying exhibits supporting those facts) includes the disclosure and discussion of these matters.

4. Additionally, Defendant's investigation in May/June 2018 that resulted in a final written warning to Plaintiff involved sensitive allegations relating to an alleged personal relationship between Plaintiff and a third party.

5. Defendant is requesting, subject to the Court's judgment, to allow Defendant to file its complete Statement of Uncontroverted Facts and supporting evidentiary documents under seal. Defendant recognizes that not all of the facts set forth in Defendant's Statement are confidential or sensitive. As such, Defendant is also agreeable to filing a partially redacted Statement and accompanying exhibits with the Court's guidance on what can be redacted from the public filing.

6. The Defendant's interest in sealing the Statement of Uncontroverted Material Facts and corresponding exhibits outweigh any public interest as the confidential information at stake could cause personal and professional harm if disseminated to the public.

7. Defendant's counsel has conferred with counsel for Plaintiff, who does not oppose this motion.

WHEREFORE, Defendant respectfully requests that its Joint Motion to File Documents Under Seal be granted.

Respectfully submitted,

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

/s/ Kerri S. Reisdorff

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

The undersigned certifies that on the 6th day of July, 2021, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

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